

From: Brian Reuter
To: Microsoft ATR
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Subject: Microsoft Settlement

The proposed settlement is inadequate.

While it addresses Microsoft manipulation of OEMs to stifle competition, and it ostensibly allows users to remove offending software, it still leaves microsoft in a position where it continues to be anti-competitive. To ensure it has no competition, Microsoft can and will begin to license it's non-standard proprietary APIs only to companies which Microsoft approves of, while scorning any company that may compete with Microsoft applications. Such a situation is equally harmful to independent software vendors, or companies which may vie to compete in the same market.

There is no other adequate settlement than to divide microsoft into an operating systems company, and an applications company each with separate ownership and a separate board of directors. Any collusion between applications and operating systems will by it's nature produce a situation where an outside vendor cannot possibly compete with Microsoft. The Microsoft Operating Systems company, further, should be required to publish for free (or a nominal charge for material) all API and system functions with complete documentation (including errata, secret functions etc.) for any party interested, without any legal agreement required. Further, the Microsoft Operating Systems company cannot enter into any agreement with an outside company in which information not otherwise available publically is disclosed.

My opinions are my own, and independent of my company.

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